

N. C., alleging that the article had been shipped on or about February 28, 1919, by the Pabst Chemical Co., Chicago, Ill., and transported from the State of Illinois into the State of North Carolina, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a mixture containing essentially the extractives from copaiba, buchu, uva ursi, emodin indicating senna, oil of peppermint, sugar, water, and 22.3 per cent by volume of alcohol.

Misbranding of the article was alleged in the libel in that certain statements regarding the curative or therapeutic effects of the article, appearing on the label on the bottles containing, and on the wrapper inclosing the article, falsely and fraudulently represented the article to be effective as a remedy for gonorrhœa, gleet, urethritis, and chronic mucous discharges, whereas, in truth and in fact, it was not effective.

On December 19, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8161. Adulteration and misbranding of crushed barley. U. S. * * * v. Nelson Grain Co., a Corporation. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 11036. I. S. No. 10863-r.)

On October 17, 1919, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Nelson Grain Co., a corporation, Kansas City, Mo., alleging shipment by said defendant, from the State of Missouri into the State of Kansas, in violation of the Food and Drugs Act, on November 7, 1918, of a quantity of an article which was adulterated and misbranded. The article was labeled in part, "Crushed Barley Manufactured by Nelson Grain Co., Kansas City, Mo."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the article was a product consisting of 10.5 per cent of oats, wild oats, and weed seeds.

Adulteration of the article was alleged in the information in that certain substances, to wit, oats, wild oats, and weed seeds, had been substituted in part for barley, which the article purported to be.

Misbranding of the article was alleged in that the statement on the label on the sacks containing the article, to wit, "Crushed Barley," was false and misleading in that it represented that the article was barley, whereas, in truth and in fact, it was not barley. Further misbranding was alleged in that the above-quoted statement deceived and misled the purchaser into the belief that the article was barley, whereas, in truth and in fact, it was not barley.

On December 23, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8162. Misbranding of Montauk Santal Comp. U. S. * * * v. 7 Dozen Bottles of Montauk Santal Comp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11097. I. S. No. 17049-r. S. No. E-1670.)

On August 26, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of

7 dozen bottles of Montauk Santal Comp., at Ponce, P. R., alleging that the article had been shipped by G. J. Fajardo, New York, N. Y., and transported from the State of New York into the Island of Porto Rico, on or about March 26, 1919, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Montauk Santal Comp. Capsules of 5 Minims of Comp. (E. I.) Sandal-wood Oil."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the capsules contained an average of 3.62 minims of a mixture of oils containing approximately 37.5 per cent of sandalwood oil.

It was alleged in the libel that the article was misbranded so as to deceive and mislead the purchaser or purchasers thereof, in that the labels on the wrappers around the bottles bore a statement to the effect that the capsules contained in the bottles contained "5 Minims of Comp. (E. I.) Sandal-wood Oil," whereas, in fact, the capsules averaged 3.62 minims of sandalwood oil. It was alleged in substance that the article was misbranded for the further reason that it was labeled so as to deceive and mislead the purchaser or purchasers thereof, in that certain statements contained in the circular enclosed with the bottles and wrappers, regarding the curative and therapeutic effects of the article, represented that the article was effective in the treatment of gonorrhœa, usually known as clap, whereas, in truth and in fact, it was not.

On November 26, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8163. Misbranding of Helmitol. U. S. * * * v. 7 Dozen Bottles of Helmitol Tablets. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11098. I. S. No. 17048-r. S. No. E-1671.)

On August 26, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7 dozen bottles of Helmitol tablets, remaining in the original unbroken packages at Ponce, P. R., alleging that said article had been shipped by the Bayer Co., Inc., New York, N. Y., on or about June 21, 1919, and transported from the State of New York into the Island of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "20 Bayer-Tablets * * * Urinary Antiseptic The Bayer Company, Inc., New York, N. Y., U. S. A."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted of Helmitol (anhydromethylene citrate hexamethylene tetramine) and talc.

It was alleged in the libel that the article was misbranded so as to deceive and mislead the purchaser or purchasers thereof, in that the labels on the article bore a statement, regarding it and the ingredients and substances contained therein, which was false and misleading [fraudulent], that is to say, the label on said bottles and cartons was so arranged as to lead the public to believe that the bottles and cartons contained curative and therapeutic medicine capable of curing and preventing diseases and disorders in the urinary tract of whosoever should use it, whereas, in fact, it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On January 30, 1920, the Porto Rico Drug Co., San Juan, P. R., claimant, having consented to a decree, judgment of condemnation and forfeiture was